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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,104	01/25/2001	Alan Ray Merrell	CVNT 1017-1 DC-02525	5361
23640	7590	06/17/2004	EXAMINER	
BAKER BOTTS, LLP			JACOBS, LASHONDA T	
910 LOUISIANA			ART UNIT	
HOUSTON, TX 77002-4995			PAPER NUMBER	

2157

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DATE MAILED: 06/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/770,104

Applicant(s)

MERRELL ET AL.

Examiner

LaShonda T. Jacobs

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4 and 5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-30 rejected under 35 U.S.C. 102(e) as being anticipated by Soltis et al (hereinafter, "Soltis", 6,493,804).

As per claim 1, Soltis discloses a system for storage in a storage network, the storage network including a file system server which manages access to storage according to a file system architecture using, file system parameters, a plurality of clients of the file system server and one or more storage systems, comprising:

- a plurality of communication interfaces, adapted for connection via communication media to respective ones of the plurality of clients and one or more storage systems (col. 5, lines 25-45); and
- processing resources, coupled with the plurality of communication interfaces, which manage communication via said plurality of communication interfaces according to a storage area network protocol which identifies units of storage according to storage area network parameters, and including logic to identify a particular message received

from one of the plurality of clients under the storage area network protocol as a message relating to the file system architecture, to parse the particular message for file system parameters of an access according to the file system architecture, and to translate said file system parameters to an access using storage area network parameters (col. 5, lines 25-45, col. 6, lines 66-67, col. 7, lines 1-34, col. 8, lines 61-67, col. 9, lines 1-41 and col. 15, lines 27-39).

As per claim 11, Soltis discloses a method for access to storage resources by a plurality of clients in a storage network operating according to a storage area network protocol, comprising:

- providing a file system server in the storage area network, and in communication with the plurality of clients for file access management via a communication network, which manages access to storage according to a file system architecture (col. 5, lines 25-45);
- installing an intermediate system in the storage area network between the plurality of clients and storage resources in the storage area network (col. 8, lines 61-67 and col. 9, lines 1-4);
- identifying a particular message received in the intermediate system from one of the plurality of clients under the storage area network protocol as a message relating to the file system (col. 8, lines 11-20, lines 61-67 and col. 9, lines 1-4);
- parsing the particular message in the intermediate system for file system parameters of an access according to the file system architecture (col. 8, lines 61-67, col. 9, lines 1-4, col. 11, lines 63-67 and col. 12, lines 1-26);
- translating said file system parameters to an access using storage area network parameters (col. 19, lines 15-44); and

- routing said access using the storage area network parameters through the intermediate device (col. 19, lines 15-44).

As per claim **21**, Soltis discloses an article of manufacture, comprising a machine readable storage medium and a computer program stored therein, the computer program for operation in an intermediate device in a storage network, the storage network including a file system server which manages access to storage according to a file system architecture using tile system parameters. a plurality of clients of the file system server and one or more storage systems, and comprising:

- program instructions which upon execution in the intermediate device manage communication via said plurality of communication interfaces according to a storage area network protocol which identifies units of storage according to storage area network parameters, identifies a particular message received from one of the plurality of clients under the storage area network protocol as a message relating to the file system architecture, parses the particular message for file system parameters of an access according to the file system architecture, and translates said file system parameters to an access using storage area network parameters (col. 5, lines 25-45, col. 6, lines 66-67, col. 7, lines 1-34, col. 8, lines 61-67, col. 9, lines 1-41 and col. 15, lines 27-39).

As per claims **2**, **12** and **22**, Soltis discloses:

- wherein said file system parameters comprise file access block parameters (abstract, col. 2, lines 47-67, col. 3, lines 1-2, col. 11, lines 64-67 and col. 12, lines 1-26).

As per claims **3**, **13** and **23**, Soltis discloses:

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- wherein said storage area network protocol comprises a protocol compliant with a Standard Small Computer System Interface SCSI protocol (abstract, and col. 7, lines 19-34).

As per claims 4, 14 and 24, Soltis discloses:

- wherein said storage area network protocol comprises a protocol compliant with a standard Fibre Channel Protocol FCP (col. 6, lines 66-67 and col. 7, lines 1-51).

As per claims 5, 15 and 25, Soltis discloses:

- wherein said resources comprise memory and a computer program stored in the memory for mapping logical file identification parameters to physical storage block parameters (col. 15, lines 27-37).

As per claims 6, 16 and 26, Soltis discloses:

- wherein said particular message comprises a command according to the storage area network protocol directed to a file system virtual volume (col. 8, lines 61-67 and col. 9, lines 1-28).

As per claims 7, 17 and 27, Soltis discloses:

- wherein said particular message comprises a command according to the storage area network protocol directed to physical block outside an actual range physical blocks accessible in the storage area network (col. 11, lines 63-67 and col. 12, lines 1-26).

As per claim 8, 18 and 28, Soltis discloses:

- wherein said particular message comprises a command compliant with a SCSI write command with at least a portion of said file system access parameters carried in a

buffer associated with the command (col. 9, lines 42-62, col. 14, lines 56-67 and col. 15, lines 1-4).

As per claim 9, 19 and 29, Soltis discloses:

- wherein the resources further include logic for logical bounds checking for said particular message (col. 11, lines 63-67 and col. 12, lines 1-26).

As per claims 10, 20 and 30, Soltis discloses:

- wherein the resources further include logic for access control for said particular message (col. 19, lines 15-47).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,538,669 to Lagueux et al

U.S. Pat. No. 6,148,414 to Brown et al

U.S. Pat. No. 6,640,278 to Nolan et al

U.S. Pat. No. 5,271,007 to Kurahashi et al

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 703-305-7494. The examiner can normally be reached on 8:30 AM - 5:00 PM.

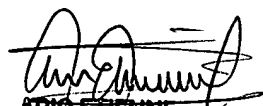
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T. Jacobs
Examiner
Art Unit 2157

ltj
June 8, 2004


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100